

STATE OF NEW MEXICO  
ENVIRONMENTAL IMPROVEMENT BOARD

IN THE MATTER OF PROPOSED REVISIONS TO:  
*New Mexico's State Implementation Plan*

No. EIB 16-03 (R)

Air Quality Bureau,  
Environmental Protection Division of the  
New Mexico Environment Department,

*Petitioner.*



**NEW MEXICO ENVIRONMENT DEPARTMENT'S  
NOTICE OF INTENT TO PRESENT TECHNICAL TESTIMONY**

The Air Quality Bureau within the Environmental Protection Division of the New Mexico Environment Department ("Department") files this Notice of Intent to Present Technical Testimony for the hearing in this matter currently scheduled for September 9, 2016.

1. **Entity for whom the witness will testify:** The New Mexico Environment Department.
2. **Identity of witness:** Robert Spillers is an Environmental Analyst within the Department's Air Quality Bureau. His resume is attached as Exhibit 4. A copy of his written testimony is attached as Exhibit 6. The Department will also provide Rita Bates, Renee Held, and Ted Schooley as panel witnesses for questions related to the proposed SIP revision and its relation to the Department's air quality programs. Their resumes are included herein.
3. **List of Exhibits:** A complete list of exhibits the Department intends to offer into evidence in this matter is attached to this Notice.
4. **Proposed Statement of Reasons:** The Department includes in its Notice of Intent to Present Technical Testimony a Proposed Statement of Reasons as NMED Exhibit 17 for the Environmental Improvement Board's consideration and signature should it approve the SIP revision.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT

By: /s/ Christopher N. Atencio  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this "Department's Notice of Intent to Present Technical Testimony" was sent via the stated methods below to the following parties on August, 19, 2016:

*Via hand delivery:*

Pam Castañeda, Board Administrator  
Environmental Improvement Board  
1190 South Saint Francis Drive, Suite 2102  
Santa Fe, NM 87505

*Via First Class U.S. Mail:*

Jennie Lusk  
Assistant General Counsel  
New Mexico Attorney General  
Post Office Drawer 1508  
Santa Fe, New Mexico 87504  
*Counsel for the Environmental Improvement Board*

/s/ Christopher N. Atencio  
Christopher N. Atencio

### SSM SIP Call Exhibit List

NMED Exhibit 1	Rita Bates Resume
NMED Exhibit 2	Renee Held Resume
NMED Exhibit 3	Ted Schooley Resume
NMED Exhibit 4	Robert Spillers Resume
NMED Exhibit 5	Proposed Revisions - 20.2.7 NMAC Excess Emissions
NMED Exhibit 6	Written Testimony of Robert Spillers
NMED Exhibit 7	April 30, 2008 EPA Letter
NMED Exhibit 8	2009 EPA Approval 2008 Rule
NMED Exhibit 9	Sierra Club Petition
NMED Exhibit 10	EPA Proposed Rule (February 22, 2013)
NMED Exhibit 11	Department Comment Letter to EPA proposed Rule (May 9, 2013)
NMED Exhibit 12	Department Interpretive Letter for Excess Emissions (May 9, 2013)
NMED Exhibit 13	<i>Natural Resources Defense Council v. EPA</i> , 749 F.3d 1055 (D.C. Cir. 2014)
NMED Exhibit 14	EPA Final Rule (June 12, 2015)
NMED Exhibit 15	EPA Comment Letter on Department's Proposed Revisions (May 25, 2016)
NMED Exhibit 16	Public Outreach Notices
NMED Exhibit 17	Proposed Statement of Reasons

